

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Patents Inventors : Atsushi TABATA, et al.
Serial No. : 10/621,608
Filed : July 18, 2003
For : CONTROL APPARATUS FOR VARIABLE-CYLINDER ENGINE,
AND CONTROL APPARATUS FOR VEHICLE
Art Unit : Unassigned
Examiner : Unassigned

Office of Petitions
Mail Stop Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR § 1.53(e) TO ACCORD APPLICATION A FILING DATE

Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed March 19, 2004 in the above-identified application, the Applicant hereby petitions that the above-identified application be accorded the filing date of July 18, 2003. In support of this petition, the Applicant herewith submits:

- (1) A copy of the Notice of Incomplete Nonprovisional Application alleging a failure to timely file drawings in the application; and
- (2) A copy of the PTO-stamped filing postcard showing filing of 21 drawings on July 18, 2003.

A response to the Notice of Incomplete Nonprovisional Application is being concurrently submitted under separate cover, including a re-submission of the drawings. In view of item (2), above, the Applicant respectfully submits that the application is entitled to the filing date of July 18, 2003. The Office is hereby authorized to charge the \$ 130.00 petition fee under 37 CFR 1.17(h) for this petition to Deposit Account No. 11-0600. Because the application is entitled to the indicated filing date, a refund of the

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\$ 130.00 petition fee is hereby requested.

The Office is further authorized to charge any other fee relating to this communication, or to credit any overpayment, to Deposit Account No. 11-0600. The Office is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application.

Respectfully submitted,

Dated: April 1, 2004

By:


William E. Curry
Reg. No. 43,572

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